

WYDEN] was added as a cosponsor of S. 1355, a bill to amend the Internal Revenue Code of 1986 to end deferral for U.S. shareholders on income of controlled foreign corporations attributable to property imported into the United States.

S. 1470

At the request of Mr. MCCAIN, the name of the Senator from Florida [Mr. MACK] was added as a cosponsor of S. 1470, a bill to amend title II of the Social Security Act to provide for increases in the amounts of allowable earnings under the Social Security earnings limit for individuals who have attained retirement age, and for other purposes.

S. 1521

At the request of Mr. DOLE, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 1521, a bill to establish the Nicodemus National Historic Site in Kansas, and for other purposes.

S. 1597

At the request of Mr. DORGAN, the names of the Senator from Illinois [Mr. SIMON], the Senator from Nebraska [Mr. EXON], the Senator from West Virginia [Mr. BYRD], the Senator from Arkansas [Mr. PRYOR], the Senator from Colorado [Mr. CAMPBELL], the Senator from Iowa [Mr. HARKIN], and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of S. 1597, a bill to amend the Internal Revenue Code of 1986 to discourage American businesses from moving jobs overseas and to encourage the creation of new jobs in the United States, and for other purposes.

S. 1610

At the request of Mr. BOND, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to clarify the standards used for determining whether individuals are not employees.

S. 1612

At the request of Mr. HELMS, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 1612, a bill to provide for increased mandatory minimum sentences for criminals possessing firearms, and for other purposes.

SENATE RESOLUTION 202

At the request of Mr. ABRAHAM, the names of the Senator from Arkansas [Mr. BUMPERS], the Senator from Mississippi [Mr. COCHRAN], the Senator from South Dakota [Mr. DASCHLE], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Texas [Mr. GRAMM], the Senator from Oregon [Mr. HATFIELD], the Senator from Texas [Mrs. HUTCHISON], the Senator from Hawaii [Mr. INOUE], the Senator from Vermont [Mr. JEFFORDS], the Senator from Idaho [Mr. KEMPTHORNE], the Senator from Massachusetts [Mr. KERRY], the Senator from Vermont [Mr. LEAHY], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Michigan [Mr. LEVIN], the Sen-

ator from Mississippi [Mr. LOTT], the Senator from Kentucky [Mr. MCCONNELL], the Senator from Alaska [Mr. STEVENS], and the Senator from Tennessee [Mr. THOMPSON] were added as cosponsors of Senate Resolution 202, a resolution concerning the ban on the use of United States passports for travel to Lebanon.

AMENDMENTS SUBMITTED

THE PUBLIC RANGELANDS MANAGEMENT ACT OF 1996 NATIONAL GRASSLANDS MANAGEMENT ACT OF 1996

BINGAMAN (AND OTHERS) AMENDMENT NO. 3559

Mr. BINGAMAN (for himself, Mr. DORGAN, Mr. REID, Mr. BRYAN, and Mr. DASCHLE) proposed an amendment to amendment No. 3555 proposed by Mr. DOMENICI to the bill (S. 1459) to provide for uniform management of livestock grazing on Federal land, and for other purposes; as follows:

In lieu of the matter proposed insert the following new language:

SECTION 101. SHORT TITLE.

This title may be cited as the "Public Rangelands Management Act of 1996".

SEC. 102. DEFINITIONS.

As used in this title, the term—

(1) "public land" has the same meaning as given in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e));

(2) "Secretary" means the Secretary of the Interior, or where appropriate, the Secretary acting through the Bureau of Land Management; and

(3) "Secretary of Agriculture" means, where appropriate, the Secretary acting through the Forest Service.

SEC. 103. APPLICABILITY.

(a) BUREAU OF LAND MANAGEMENT LANDS.—This title shall apply to the grazing of livestock on public lands administered by the Secretary. Except as otherwise provided in this title, grazing on public lands administered by the Secretary shall be managed in accordance with applicable laws and regulations.

(b) FOREST SERVICE LANDS.—(1) Except as provided in section 113 (concerning the applicability of NEPA provisions), section 115 (establishing a new grazing fee formula), and section 116 (concerning expenditures of grazing fee receipts) livestock grazing on National Forest System lands in the sixteen contiguous Western States shall be managed in accordance with applicable laws and regulations.

(2) None of the provisions of this title shall apply to livestock grazing on National Forest System lands outside of the sixteen contiguous Western States. Livestock grazing on those lands shall be administered by the Secretary of Agriculture in accordance with applicable laws and regulations.

(c) NATIONAL GRASSLANDS.—Livestock grazing on the National Grasslands shall be administered in accordance with title II of this Act, except that sections 113 and 115 of title I shall also apply to the National Grasslands.

(d) COORDINATED MANAGEMENT.—(1) The Secretary and the Secretary of Agriculture shall seek to provide, to the maximum ex-

tent practicable, for consistent and coordinated grazing activities and management practices on lands in the sixteen contiguous Western States administered by the Forest Service (excluding the National Grasslands) and the Bureau of Land Management, consistent with the laws governing the public lands and the National Forest System.

(2) To the extent current regulations are inconsistent with the provisions of this title, the Secretary and the Secretary of Agriculture, as necessary, shall promulgate new regulations in accordance with this title.

SEC. 104. RANGELAND HEALTH STANDARDS AND GUIDELINES.

(a) IN GENERAL.—The Secretary, in consultation with the Resource Advisory Councils established in section 108, the Grazing Advisory Boards established in section 109, and appropriate State and local governmental and educational entities, and after providing an opportunity for public participation, shall establish State-wide or regional standards and guidelines to ensure the health and continued improvement of public land range conditions: *Provided, however*, That nothing in this title shall be construed as requiring the establishment of a minimum national standard for public land range conditions.

(b) CRITERIA.—Such standards and guidelines shall seek to ensure that—

(1) watersheds are in, or are making significant progress toward properly functioning condition;

(2) upland soils exhibit stability and infiltration and permeability rates that are appropriate to soil type, climate, and landform;

(3) ecological processes, including the hydrological cycle, nutrient cycle, and energy flow are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities;

(4) water quality complies with State water quality standards; and

(5) healthy, productive, and diverse native plant and animal populations are being supported.

(c) INCORPORATION.—Standards and guidelines developed for a specific region pursuant to this section shall, upon completion, be incorporated by operation of law into applicable land use plans. Standards and guidelines shall also be incorporated into allotment management plans and the terms and conditions of grazing permits and leases.

SEC. 105. PUBLIC PARTICIPATION.

(a) IN GENERAL.—In developing and revising land use plans, allotment management plans, activity plans, and rangeland standards and guidelines, the Secretary shall provide appropriate opportunities for public participation.

(b) AFFECTED INTEREST.—An individual or organization that has expressed in writing to the Secretary concern for the management of livestock grazing on specific allotments and who has been determined by the Secretary to be an affected interest, shall be consulted on significant grazing actions and decisions taken by the Secretary. Such consultation shall include, but need not be limited to, providing notice of the proposed action or decision and the reasons therefore, and a reasonable time in which to submit comments on the proposed action or decision.

(c) ABILITY TO PROTEST.—An applicant, permittee, lessee, or affected interest shall be entitled to protest proposed decisions of the Secretary.

SEC. 106. TERMS AND CONDITIONS.

(a) IN GENERAL.—The Secretary shall include such reasonable terms and conditions in a grazing permit or lease as the Secretary determines to be appropriate to achieve

management and resource condition objectives.

(b) **MODIFICATION.**—Following careful and considered consultation, cooperation, and coordination with lessees, permittees, and other affected interests, the Secretary may modify terms and conditions of a grazing permit or lease if monitoring data or objective evidence shows that present grazing use is not meeting management and resource condition objectives.

(c) **MONITORING.**—(1) Monitoring shall be conducted at a sufficient level to enable the Secretary to determine the effectiveness of management toward meeting management and resource condition objectives and to issue decisions or enter into agreements requiring management changes. The Secretary shall seek to ensure that monitoring is conducted in a timely and consistent manner.

(2) Monitoring shall be conducted according to regional or State-wide scientifically-based criteria and protocols. The criteria and protocols shall be developed by the Secretary in consultation with applicable Resource Advisory Councils, Grazing Advisory Boards, and appropriate State entities.

SEC. 107. RANGE IMPROVEMENTS.

(a) **PERMANENT IMPROVEMENTS.**—(1) The Secretary may authorize the installation of permanent range improvements by permittees, lessees, or other parties pursuant to cooperative agreements. Title to permanent range improvements constructed or installed after the date of enactment of this title shall be in the name of the United States.

(2) If the Secretary cancels a grazing permit or lease in whole or in part in order to devote the lands covered by the permit to another public purpose, including disposal, the permittee or lessee shall receive from the United States reasonable compensation for the adjusted value of the permittee's or lessee's interest in authorized permanent improvements placed or constructed on the lands covered by the canceled permit or lease. The adjusted value shall be determined by the Secretary, not to exceed fair market value of the terminated portion of the permittee's or lessee's interest therein.

(b) **TEMPORARY IMPROVEMENTS.**—The Secretary may authorize the installation of temporary range improvements by permittees, lessees, or other parties pursuant to range improvements permits. Title to temporary range improvements shall be in the name of the permittee or lessee, where no part of the cost for the improvement is borne by the United States.

(c) **VALID EXISTING RIGHTS.**—Nothing in this section shall affect valid existing rights to range improvements existing prior to the date of enactment of this title.

(d) **NO INTEREST IN LANDS.**—A range improvement permit or cooperative agreement does not convey to a permittee or lessee any right, title, or interest in any lands or resources held by the United States.

SEC. 108. RESOURCE ADVISORY COUNCILS.

(A) **ESTABLISHMENT.**—The Secretary, in consultation with the Governors of the affected States, shall establish and operate Resource Advisory Councils on a regional, State, or planning area level to provide advice on management issues for all lands administered by the Bureau of Land Management within such State or regional area, except where the Secretary determines that there is insufficient interest in participation on a council to ensure that membership can be fairly balanced in terms of the points of view represented and the functions to be performed.

(b) **DUTIES.**—Each Resource Advisory Council shall advise the Secretary regarding the preparation, amendment, and implementation of land use and activity plans for public lands and resources within its area.

(c) **MEMBERSHIP.**—(1) The Secretary, in consultation with the Governor of the affected State or States, shall appoint the members of each Resource Advisory Council. A council shall consist of not less than 9 members and not more than 15 members.

(2) In appointing members to a Resource Advisory Council, the Secretary shall provide for balanced and broad representation from among various groups, including but not limited to, permittees and lessees, other commercial interests, recreational users, representatives of recognized environmental or conservation organizations, educational, professional, or academic interests, representative of State and local government or governmental agencies, Indian tribes, and other members of the affected public.

(3) The Secretary shall appoint at least one elected official of general purpose government serving the people of the area to each Resource Advisory Council.

(4) No person may serve concurrently on more than one Resource Advisory Council.

(5) Members of a Resource Advisory Council must reside in one of the States within the geographic jurisdiction of the council.

(d) **SUBGROUPS.**—A Resource Advisory Council may establish such subgroups as the council deems necessary, including but not limited to working groups, technical review teams, and rangeland resource groups.

(e) **TERMS.**—Resource Advisory Council members shall be appointed for 2-year terms. Members may be appointed to additional terms at the discretion of the Secretary.

(f) **PER DIEM EXPENSES.**—Resource Advisory Council members shall serve without compensation as such, but shall be reimbursed for travel and per diem expenses while on official business, as authorized by 5 U.S.C. 5703.

(g) **FEDERAL ADVISORY COMMITTEE ACT.**—Except to the extent that it is inconsistent with this section, the Federal Advisory Committee Act shall apply to the Resource Advisory Councils established under this section.

(h) **OTHER FLPMA ADVISORY COUNCILS.**—Nothing in this section shall be construed as modifying the authority of the Secretary to establish other advisory councils under section 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739).

SEC. 109. GRAZING ADVISORY BOARDS.

(a) **ESTABLISHMENT.**—For each district office of the Bureau of Land Management in the sixteen contiguous Western States having jurisdiction over more than 500,000 acres of public lands subject to commercial livestock grazing, the Secretary, upon the petition of a simple majority of livestock lessees and permittees under the jurisdiction of such office, shall establish and maintain at least one Grazing Advisory Board of not more than 15 members.

(b) **FUNCTION.**—The function of the Grazing Advisory Boards established pursuant to this section shall be to provide advice to the Secretary concerning management issues directly related to the grazing of livestock on public lands within the area administered by the district office.

(c) **MEMBERS.**—(1) The number of members on each Grazing Advisory Board shall be determined by the Secretary. Members shall serve for a term of 2 years. One-half of the members of each board shall consist of livestock representatives who shall be lessees or permittees in the area administered by the district office and who shall be chosen by the lessees and permittees in the area through an election prescribed by the Secretary. The remaining members shall be appointed by the Secretary from among residents of the area, to represent other interests.

(2) No person may serve concurrently on more than one Grazing Advisory Board.

(d) **PER DIEM EXPENSES.**—Grazing Advisory Board members shall serve without compensation as such, but shall be reimbursed for travel and per diem expenses while on official business, as authorized by 5 U.S.C. 5703.

(e) **FEDERAL ADVISORY COMMITTEE ACT.**—Except to the extent that it is inconsistent with this section, the Federal Advisory Committee Act shall apply to the Grazing Advisory Boards established under this section.

SEC. 110. ALLOTMENT MANAGEMENT PLANS.

Where practicable, feasible, and appropriate, the Secretary shall develop allotment management plans (or other activity plans serving as the functional equivalent thereof). Such plans shall be prepared in consultation, cooperation and coordination with permittees or lessees, Resource Advisory Councils, Grazing Advisory Boards, and affected interests.

SEC. 111. CONSERVATION AND TEMPORARY NON-USE

(a) **IN GENERAL.**—(1) The Secretary may approve a request by a permittee or lessee for temporary non-use or conservation use if such use is determined by the Secretary to be not inconsistent with the applicable land use plans, allotment management plans, or other applicable plans.

(2) In developing criteria and standards for conservation use and temporary non-use, the Secretary shall consult with applicable Resource Advisory Councils and Grazing Advisory Boards.

(b) **CONSERVATION USE.**—(1) Conservation use may be approved for periods of up to ten years when, in the determination of the Secretary, the proposed conservation use will promote rangeland resource protection or enhancement of resource values or uses, including more rapid progress toward achieving resource condition objectives.

(2) Conservation use shall be a voluntary action on the part of a permittee or lessee. No such use shall be approved by the Secretary unless requested by a permittee or lessee.

(c) **TEMPORARY NON-USE.**—Temporary non-use for reasons including but not limited to financial conditions or annual fluctuations of livestock, may be approved by the Secretary on an annual basis for no more than 3 consecutive years.

(d) The Secretary shall not approve applications for non-renewable grazing permits and leases for areas for which conservation use has been authorized. Forage made available as a result of temporary non-use may be made available to qualified applicants.

(e) **DEFINITION.**—As used in this section, the term—

(1) "conservation use" means an activity, excluding livestock grazing, on all or a portion of a grazing allotment for the purposes of—

(A) protecting the land and its resources from destruction or unnecessary injury.

(B) improving rangeland conditions; or

(C) enhancing resource values, uses, or functions;

(2) "temporary non-use" means the authorized withholding, on an annual basis, of all or a portion of permitted livestock use, in response to a request of a permittee or lessee.

SEC. 112. WATER RIGHTS.

(a) **IN GENERAL.**—New water rights shall be acquired, perfected, maintained, or administered in connection with livestock grazing on public lands in accordance with State law.

(b) **NO FEDERAL RESERVED WATER RIGHT.**—Nothing in this title shall be construed as creating an express or implied reservation of water rights in the United States.

(c) **VALID EXISTING RIGHTS.**—Nothing in this title shall be construed as affecting valid existing water rights.

SEC. 113. NEPA COMPLIANCE.

(a) RENEWALS OR TRANSFERS.—Unless the Secretary or the Secretary of Agriculture, as appropriate, determines that the renewal or transfer of a grazing permit or lease will involve significant changes in management practices or use, or that significant environmental damage is occurring or is imminent, the renewal or transfer of such permit or lease shall not require the completion of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) RANGELAND MANAGEMENT ACTIVITIES.—(1) The Secretary and the Secretary of Agriculture shall expedite the consideration of applications for non-significant grazing activities on Federal lands administered by the respective Secretary, including the development of a list of activities (or mandatory eligibility criteria) that would constitute a "categorical exclusion" from consideration under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) where the Secretary concerned determines that such activities would not have a significant effect on the environment.

(2) Nothing in this subsection shall preclude the Secretary or the Secretary of Agriculture, as appropriate, from requiring additional analysis where the Secretary concerned determines that the proposed activity may have a significant effect on the environment.

SEC. 114. GRAZING FEE SURCHARGE.

No grazing fee surcharge shall be imposed for grazing use by a spouse, child, or grandchild of the permittee or lessee on the lands covered by the permit or lease.

SEC. 115. GRAZING FEE.

(a) IN GENERAL.—(1) The fee for each animal unit month in a grazing fee year to be determined by the Secretary and the Secretary of Agriculture shall be equal to the three-year average of the total gross value production for beef cattle for the three years preceeding the grazing fee year, multiplied by the ten-year average of the United States Treasury Securities six-month bill "new issue" rate, divided by twelve; *Provided*, That the grazing fee shall not be less than \$1.50 per animal unit month.

(2) The gross value of production for beef cattle shall be determined by the Economic Research Service of the Department of Agriculture in accordance with subsection (e)(1).

(b) DEFINITION OF ANIMAL UNIT MONTH.—For billing purposes only, the term "animal unit month" means one month's use and occupancy of range by—

(1) one cow, bull, steer, heifer, horse, burro, or mule; or seven sheep or goats; each of which is six months of age or older on the date on which the animal begins grazing on Federal land;

(2) any such animal regardless of age if the animal is weaned on the date on which the animal begins grazing on Federal lands; and

(3) any such animal that will become twelve months of age during the period of use authorized under a grazing permit or lease.

(c) LIVESTOCK NOT COUNTED.—There shall not be counted as an animal unit month the use of Federal land for grazing by an animal that is less than six months of age on the date which the animal begins grazing on Federal land and that is the natural progeny of an animal on which a grazing fee is paid if the animal is removed from the Federal land before becoming twelve months of age.

(d) OTHER FEES AND CHARGES.—(1) A service charge shall be assessed for each crossing permit, transfer of grazing preference, and replacement or supplemental billing notice except in a case in which the action is initiated by the authorized officer.

(2) The fees and charges under section 304(a) of the Federal Land Policy and Man-

agement Act of 1976 (43 U.S.C. 1734(a)) shall reflect processing costs and shall be adjusted periodically as costs change.

(3) Notice of a change in a service charge shall be published in the Federal Register.

(e) CRITERIA FOR ERS.—(1) The Economic Research Service of the Department of Agriculture shall continue to compile and report the gross value of production of beef cattle, on a dollars-per-bred-cow basis for the United States, as currently published in "Economic Indicators of the Farm Sector: Cost of Production—Major Field Crops and Livestock and Dairy" (Cow-calf production cash costs and returns).

(2) For the purposes of a determining a grazing fee for a given grazing fee year, the gross value of production (as defined in subsection (a)) for the previous calendar year shall be made available to the Secretary and the Secretary of Agriculture, and published in the Federal Register, on or before February 15 of each year.

SEC. 116. USE OF STATE SHARE OF GRAZING FEE RECEIPTS.

Section 10 of the Act of June 28, 1934 (commonly known as the "Taylor Grazing Act") (43 U.S.C. 315i) is amended—

(1) in subsection (a), by striking "the benefit of" and inserting in lieu thereof "investment in all forms of on-the-ground improvements that benefit rangeland resources, and for support of local public schools in"; and

(2) in subsection (b), by striking "the benefit of" and inserting in lieu thereof "investment in all forms of on-the-ground improvements that benefit rangeland resources, and for support of local public schools in".

SEC. 117. CONSIDERATION OF ACTIONS BY AFFILIATES

In issuing or renewing grazing permits or leases, the Secretary may only consider acts undertaken by—

(1) the permittee or lessee;

(2) persons under the direct control of the permittee or lessee; or

(3) persons acting in collusion with the permittee or lessee.

TITLE II—MANAGEMENT OF NATIONAL GRASSLANDS**SEC. 201. SHORT TITLE.**

This title may be cited as the "National Grasslands Management Act of 1996".

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the inclusion of the National Grasslands within the National Forest System has prevented the Secretary of Agriculture from effectively administering and promoting grassland agriculture on National Grasslands as originally intended under the Bankhead-Jones Farm Tenant Act;

(2) the National Grasslands can be more effectively managed by the Secretary of Agriculture if administered as a separate entity outside of the National Forest System; and

(3) a grazing program on National Grasslands can be responsibly carried out while protecting and preserving recreational, environmental, and other multiple uses of the National Grasslands.

(b) PURPOSE.—The purpose of this title is to provide for improved management and more efficient administration of grazing activities on National Grasslands while preserving and protecting multiple uses of such lands, including but not limited to preserving hunting, fishing, and recreational activities, and protecting wildlife and wildlife habitat in accordance with applicable laws.

SEC. 203. DEFINITIONS.

As used in this title, the term—

(1) "National Grasslands" means those areas managed as National Grasslands by the Secretary of Agriculture under title III of the Bankhead-Jones Farm Tenant Act (7

U.S.C. 1010-1012) on the day before the date of enactment of this title; and

(2) "Secretary" means the Secretary of Agriculture.

SEC. 204. REMOVAL OF NATIONAL GRASSLANDS FROM NATIONAL FOREST SYSTEM.

Section 11(a) of the Forest and Rangeland Renewable Resource Planning Act of 1974 (16 U.S.C. 1609(a)) is amended by striking the phrase "the national grasslands and land utilization projects administered under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525; 7 U.S.C. 1010-1012)".

SEC. 205. MANAGEMENT OF NATIONAL GRASSLANDS.

(a) IN GENERAL.—The Secretary, acting through the Chief of the Forest Service, shall manage the National Grasslands as a separate entity in accordance with this title and the provisions and multiple use purposes of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010-1012).

(b) CONSULTATION.—The Secretary shall provide timely opportunities for consultation and cooperation with interested State and local governmental entities and others in the development and implementation of land use policies and plans, and land conservation programs for the National Grasslands.

(c) GRAZING ACTIVITIES.—In furtherance of the purpose of this title, the Secretary shall administer grazing permits and implement grazing management decisions in consultation, cooperation, and coordination with local grazing associations and other grazing permit holders.

(d) REGULATIONS.—The Secretary shall promulgate regulations to manage and protect the National Grasslands, taking into account the unique characteristics of the National Grasslands and grasslands agriculture conducted under the Bankhead-Jones Farm Tenant Act. Such regulations shall facilitate the efficient administration of grazing and provide protection for environmental values, including but not limited to wildlife and wildlife habitat, and Federal lands equivalent to that on units of the National Forest System.

(e) CONFORMING AMENDMENT TO BANKHEAD-JONES ACT.—Section 31 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010) is amended to read as follows:

"To accomplish the purposes of title III of this Act, the Secretary is authorized and directed to develop a separate program of land conservation and utilization for the National Grasslands, in order thereby to correct maladjustments in land use, and thus assist in promoting grassland agriculture and secure occupancy and economic stability of farms and ranches, controlling soil erosion, reforestation, preserving and protecting natural resources, protecting fish and wildlife and their habitat, developing and protecting recreational opportunities and facilities, mitigating floods, preventing impairment of dams and reservoirs, developing energy resources, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public lands, health, safety, and welfare, but not to build industrial parks or commercial enterprises."

(f) HUNTING, FISHING, AND RECREATIONAL ACTIVITIES.—Nothing in this title shall be construed as limiting or precluding hunting or fishing activities on National Grasslands in accordance with applicable Federal and State laws, nor shall appropriate recreational activities be limited or precluded.

(g) VALID EXISTING RIGHTS.—Nothing in this title shall affect valid existing rights, reservations, agreements, or authorizations. Section 1323(a) of Public Law 96-487 shall continue to apply to non-Federal lands and interests therein within the boundaries of the National Grasslands.

(h) FEES AND CHARGES.—Fees and charges for livestock grazing on the National Grasslands shall be determined in accordance with section 115 of this Act, except that the Secretary may adjust the grazing fee to compensate for approved conservation practice expenditures.

PRESSLER AMENDMENT NO. 3560

Mr. PRESSLER proposed an amendment to amendment No. 3555 proposed by Mr. DOMENICI to the bill (S. 1459) to provide for uniform management of livestock grazing on Federal land, and for other purposes; as follows:

In section 202(a)(3), after "preserving" insert "sporting".

In section 202(b), strike "hunting, fishing, and recreational activities" and insert "sportsmen's hunting and fishing and other recreational activities".

In section 205(f), strike "HUNTING, FISHING, AND RECREATIONAL ACTIVITIES.—Nothing in this title shall be construed as limiting or precluding hunting or fishing activities" and insert "SPORTSMEN'S HUNTING AND FISHING AND OTHER RECREATIONAL ACTIVITIES.—Nothing in this title shall be construed as limiting or precluding sportsmen's hunting or fishing activities".

THE PRESIDIO PROPERTIES ADMINISTRATION ACT OF 1996

MURKOWSKI AMENDMENT NO. 3561

(Ordered to lie on the table.)

Mr. MURKOWSKI submitted an amendment intended to be proposed by him to the bill (H.R. 1296) to provide for the administration of certain Presidio properties at minimal cost to the Federal taxpayer; as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

TITLE I—THE PRESIDIO OF SAN FRANCISCO

SECTION 101. FINDINGS.

The Congress finds that—

(1) the Presidio, located amidst the incomparable scenic splendor of the Golden Gate, is one of America's great natural and historic sites;

(2) the Presidio is the oldest continuously operated military post in the Nation dating from 1776, and was designated a National Historic Landmark in 1962;

(3) preservation of the cultural and historic integrity of the Presidio for public use recognizes its significant role in the history of the United States;

(4) the Presidio, in its entirety, is a part of the Golden Gate National Recreation Area, in accordance with Public Law 92-589;

(5) as part of the Golden Gate National Recreation Area, the Presidio's significant natural, historic, scenic, cultural, and recreational resources must be managed in a manner which is consistent with sound principles of land use planning and management, and which protects the Presidio from development and uses which would destroy the scenic beauty and historic and natural character of the area and cultural and recreational resources;

(6) removal and/or replacement of some structures within the Presidio must be considered as a management option in the administration of the Presidio; and

(7) the Presidio will be managed through an innovative public/private partnership that minimizes cost to the United States Treas-

ury and makes efficient use of private sector resources.

SECTION 102. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF THE INTERIOR.

(a) INTERIM AUTHORITY.—The Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") is authorized to manage leases in existence on the date of this Act for properties under the administrative jurisdiction of the Secretary and located at the Presidio. Upon the expiration of any such lease, the Secretary may extend such lease for a period terminating not later than 6 months after the first meeting of the Presidio Trust. The Secretary may not enter into any new leases for property at the Presidio to be transferred to the Presidio Trust under this Title, however, the Secretary is authorized to enter into agreements for use and occupancy of the Presidio properties which are assignable to the Trust and are terminable within 30 days notice by the Trust. Prior to the transfer of administrative jurisdiction over any property to the Presidio Trust, and notwithstanding section 1341 of title 31 of the United States Code, the proceeds from any such lease shall be retained by the Secretary and such proceeds shall be available, without further appropriation, for the preservation, restoration, operation and maintenance, improvement, repair and related expenses incurred with respect to Presidio properties. The Secretary may adjust the rental charge on any such lease for any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, repair and related expenses with respect to properties and infrastructure within the Presidio.

(b) PUBLIC INFORMATION AND INTERPRETATION.—The Secretary shall be responsible, in cooperation with the Presidio Trust, for providing public interpretive services, visitor orientation and educational programs on all lands within the Presidio.

(c) OTHER.—Those lands and facilities within the Presidio that are not transferred to the administrative jurisdiction of the Presidio Trust shall continue to be managed by the Secretary. The Secretary and the Presidio Trust shall cooperate to ensure adequate public access to all portions of the Presidio. Any infrastructure and building improvement projects that were funded prior to the enactment of this Act shall be completed by the National Park Service.

(d) PARK SERVICE EMPLOYEES.—(1) Any career employee of the National Park Service, employed at the Presidio at the time of the transfer of lands and facilities to the Presidio Trust, shall not be separated from the Service by reason of such transfer, unless such employee is employed by the Trust, other than on detail. The Trust shall have sole discretion over whether to hire any such employee or request a detail of such employee.

(2) Any career employee of the National Park Service employed at the Presidio on the date of enactment of this Title shall be given priority placement for any available position within the National Park System notwithstanding any priority reemployment lists, directives, rules, regulations or other orders from the Department of the Interior, the Office of Management and Budget, or other federal agencies.

SECTION 103. ESTABLISHMENT OF THE PRESIDIO TRUST.

(a) ESTABLISHMENT.—There is established a wholly owned government corporation to be known as the Presidio Trust (hereinafter in this Title referred to as the "Trust").

(b) TRANSFER.—(1) Within 60 days after receipt of a request from the Trust for the transfer of any parcel within the area depicted as Area B on the map entitled "Pre-

sidio Trust Number 1," dated December 7, 1995, the Secretary shall transfer such parcel to the administrative jurisdiction of the Trust. Within one year after the first meeting of the Board of Directors of the Trust, the Secretary shall transfer to the Trust administrative jurisdiction over all remaining parcels within Area B. Such map shall be on file and available for public inspection in the offices of the Trust and in the offices of the National Park Service, Department of the Interior. The Trust and the Secretary may jointly make technical and clerical revisions in the boundary depicted on such map. The Secretary shall retain jurisdiction over those portions of the building identified as number 102 as the Secretary deems essential for use as a visitor center. The Building shall be named the "William Penn Mott Visitor Center". Any parcel of land, the jurisdiction over which is transferred pursuant to this subsection, shall remain within the boundary of the Golden Gate National Recreation Area. With the consent of the Secretary, the Trust may at any time transfer to the administrative jurisdiction of the Secretary any other properties within the Presidio which are surplus to the needs of the Trust and which serve essential purposes of the Golden Gate National Recreation Area. The Trust is encouraged to transfer to the administrative jurisdiction of the Secretary open space areas which have high public use potential and are contiguous to other lands administered by the Secretary.

(2) Within 60 days after the first meeting of the Board of Directors of the Trust, the Trust and the Secretary shall determine cooperatively which records, equipment, and other personal property are deemed to be necessary for the immediate administration of the properties to be transferred, and the Secretary shall immediately transfer such personal property to the Trust. Within one year after the first meeting of the Board of Directors of the Trust, the Trust and the Secretary shall determine cooperatively what, if any, additional records, equipment, and other personal property used by the Secretary in the administration of the properties to be transferred should be transferred to the Trust.

(3) The Secretary shall transfer, with the transfer of administrative jurisdiction over any property, the unobligated balance of all funds appropriated to the Secretary, all leases, concessions, licenses, permits, and other agreements affecting such property.

(4) At the request of the Trust, the Secretary shall provide funds to the Trust for preparation of such plan, hiring of initial staff and other activities deemed by the Trust as essential to the establishment of the Trust prior to the transfer of properties to the Trust.

(c) BOARD OF DIRECTORS.—

(1) IN GENERAL.—The powers and management of the Trust shall be vested in a Board of Directors (hereinafter referred to as the "Board") consisting of the following 7 members:

(A) the Secretary of the Interior or the Secretary's designee; and

(B) six individuals, who are not employees of the federal Government, appointed by the President, who shall possess extensive knowledge and experience in one or more of the fields of city planning, finance, real estate development, and resource conservation. At least one of these individuals shall be a veteran of the Armed Services. At least 3 of these individuals shall reside in the San Francisco Bay Area. The President shall make the appointments referred to in this subparagraph within 90 days after the enactment of this Act and shall ensure that the fields of city planning, finance, real estate development, and resource conservation are